



General Assembly

February Session, 2012

Raised Bill No. 5231

LCO No. 1257

01257_____INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING AUTOMOTIVE GLASS WORK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-354 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) No [automobile] motor vehicle physical damage appraiser shall
4 require that appraisals, [or] repairs or automotive glass work should or
5 should not be made in a specified facility or repair shop or shops.

6 (b) No insurance company doing business in this state, or agent or
7 adjuster for such company shall (1) require any insured to use a
8 specific person for the provision of [automobile] motor vehicle (A)
9 physical damage repairs, [automobile] or (B) glass replacement, glass
10 repair service or glass products, or (2) state that choosing a facility
11 other than a motor vehicle repair shop participating in a motor vehicle
12 repair program established by such company will result in delays in
13 repairing the motor vehicle or a lack of guarantee for repair work.

14 (c) Any appraisal or estimate for a motor vehicle physical damage
15 claim or automotive glass work written on behalf of an [insurer]

16 insurance company shall include the following notice, printed in not
17 less than ten-point boldface type:

18 NOTICE:

19 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
20 SHOP OR GLASS SHOP WHERE THE DAMAGE TO YOUR MOTOR
21 VEHICLE WILL BE REPAIRED.

22 (d) (1) In any communication with an insured, whether oral or
23 written, regarding motor vehicle (A) physical damage repairs, or (B)
24 glass replacement, glass repair service or glass products, an insurance
25 company doing business in this state, or an agent, adjuster or third-
26 party claims administrator for such company shall provide to the
27 insured, orally or in writing, a notice substantially similar to the
28 following: "You have the right to choose the licensed repair shop or
29 glass shop where the damage to your motor vehicle will be repaired. If
30 you have a preference, please tell us now to assist us in processing
31 your claim."

32 (2) If the insured does not specify a preference for a repair shop or
33 glass shop, as applicable, the insurance company, or the agent, adjuster
34 or third-party claims administrator for such company shall provide to
35 the insured the names and contact information of five licensed repair
36 shops or glass shops, as applicable, located within thirty miles of the
37 insured's residence, or if five such shops are not located within such
38 area, the names and contact information of such shops located within
39 such area.

40 Sec. 2. Subsections (a) and (b) of section 38a-364 of the general
41 statutes are repealed and the following is substituted in lieu thereof
42 (*Effective October 1, 2012*):

43 (a) For the purposes of sections 14-12b and 14-12c, subsection (a) of
44 section 14-13, sections 14-213b and 14-217 and this section, "private
45 passenger motor vehicle" [shall have] has the same meaning as

46 provided in subsection (e) of section 38a-363.

47 (b) Each insurance company that issues private passenger motor
 48 vehicle liability insurance providing the security required by sections
 49 38a-19 and 38a-363 to 38a-388, inclusive, shall issue annually to each
 50 such insured an automobile insurance identification card, in duplicate,
 51 for each insured vehicle, one of which shall be presented to the
 52 commissioner as provided in section 14-12b and the other carried in
 53 the vehicle as provided in section [14-12f] 14-13. Except as provided in
 54 subsection (c) of this section, such card shall be effective for a period of
 55 one year and shall include the name of the insured and insurer, the
 56 policy number, the effective date of coverage, the year, make or model
 57 and vehicle identification number of the insured vehicle and an
 58 appropriate space wherein the insured may set forth the year, make or
 59 model and vehicle identification number of any private passenger
 60 motor vehicle that becomes covered as a result of a change in the
 61 covered vehicle during the effective period of the identification card.
 62 When an insured has five or more private passenger motor vehicles
 63 registered in this state, the insurer may use the designation "all owned
 64 vehicles" on each card in lieu of a specific vehicle description. Each
 65 insurance company that delivers, issues for delivery or renews such
 66 private passenger motor vehicle liability insurance in this state [on or
 67 after January 1, 2009,] shall include on such card, the following notice,
 68 printed in capital letters and boldface type:

69 NOTICE:

70 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
 71 SHOP OR GLASS SHOP WHERE THE DAMAGE TO YOUR MOTOR
 72 VEHICLE WILL BE REPAIRED.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	38a-354
Sec. 2	October 1, 2012	38a-364(a) and (b)

Statement of Purpose:

To require an insurance company doing business in this state, or agent, adjuster or third-party claims administrator for such company to provide additional disclosures to an insured regarding such insured's right to choose a licensed repair shop or glass shop where such insured's motor vehicle physical damage or automotive glass work will be performed.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]